

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**DONNA K. SOUTTER, *for herself and on behalf
of others similarly situated individuals,***

Plaintiffs,

v.

EQUIFAX INFORMATION SERVICES, LLC,

Defendants.

Civil Action No. 3:10cv107-REP

**PROPOSED SCHEDULE AND PROCEDURES FOR CLASS NOTIFICATION, FOR
COMPLETING DISCOVERY AND TO SET A TRIAL DATE**

Comes now Donna K. Soutter, on behalf of herself and others similarly situated, in accordance with the Court's Order of March 30, 2011, to propose a schedule and procedure to notify the class, including notification of opt-out rights, for completing discovery and to propose a trial date. Notwithstanding the Plaintiffs' consent to Defendant's motion for a continuance of the status conference ordered by the court to be April 13, 2011, the Plaintiffs respectfully submit their proposal and sketch order.

(1) Development of the Class List

(a) Class counsel proposes that Rust Consulting, Inc., 625 Marquette Avenue, Suite 880 Minneapolis, MN 55402, forthwith be engaged to develop the Class List. The Class List is the list of class members including name, address, and relevant facts relating to a Virginia judgment. Rust is a well-known, reliable, cost-effective, proven industry leader in Class Action Administration, including database expertise necessary to develop a comprehensive class list.

- (b) Within five days of the entry of the Court's Order, Equifax shall provide (1) a sample of its data in suitable format to be determined by Rust; (2) a knowledgeable employee to work together with Rust to determine the full limits and available data in Equifax's credit file database in order to develop the Class List.
- (c) The Parties shall agree to a Protective Order to govern the development of the Class List.
- (d) Rust shall work directly with the Executive Secretary of the Supreme Court of Virginia to generate a Class List in the most efficient and accurate manner as the database technologies will permit.
- (e) Within fourteen days after the Executive Secretary of the Supreme Court of Virginia has made its data available, Rust shall deliver the Class List to the parties.
- (f) Within thirty days, the Parties and Rust shall deliver a status report to the Court advising of any remaining disputes or obstacles in the generation of the class list.

(2) Notice

Class counsel will propose an initial draft notice to Counsel for Equifax by April 25. Equifax shall respond within one week thereafter and the parties will meet and confer to try and resolve any differences between the Parties. Failing that, the Parties will submit their own respective notices with a brief not to exceed five pages outlining the disputed portions of each notice by May 6, 2011.

(3) Class Discovery

Parties may (a) serve no more than 45 Interrogatories; and (b) take no more than 15 depositions, unless by agreement or after having requested and received approval by the court. Phase II Expert witnesses for the Plaintiff shall be disclosed pursuant to Fed. R. Civ. P. 26(a)(2)

no later than August 1, 2011 and Phase II Expert witnesses for the Defendant disclosed no later than August 1, 2011. Rebuttal Experts shall be disclosed no later than September 15, 2011.

(4) Other Discovery and Pretrial Practice

For all other purposes, the Court's pretrial and scheduling order will be in effect unless in direct conflict with this Order.

(5) Trial Date

The Parties believe this case should take one week and should be tried in November 2011.

DONNA K. SOUTTER *on behalf of herself and
other similarly situated individuals,*

/s/

Leonard A. Bennett, Esq.

VSB #37523

Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of April 2011, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/

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